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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, *et al.*,

Plaintiffs,

v.

WELLS FARGO & COMPANY, *et al.*,

Defendants.

Civil Case No.: CV-07-5923 WHA (JCSx)

**DECLARATION OF  
MARGARET G. MAY**

*[Submitted in connection with Opposition  
of Wells Fargo Bank, N.A. to Plaintiffs'  
Motion for Class Certification]*

Date: August 21, 2008  
Time: 8:00 a.m.  
Courtroom: 9

Honorable William H. Alsup

1 I, Margaret G. May, declare as follows:

2 1. I am an attorney in the law firm of Covington & Burling LLP, counsel of  
3 record for Defendant Wells Fargo Bank, N.A., in this action. I am licensed to practice law in  
4 the State of California. The matters set forth herein are true and correct of my own personal  
5 knowledge and, if called as a witness, I could and would testify competently thereto.

6 2. A true and correct copy of relevant excerpts of the transcript of the  
7 Deposition of William Smith, dated June 18, 2008, is attached hereto as **Exhibit 1**.

8 3. In mid-March 2008, Richard McCune, counsel for plaintiffs, advised  
9 counsel for Wells Fargo that Claudia Sanchez would be removed as a plaintiff in this case.  
10 When we inquired as to why, he responded that Ms. Sanchez was his housekeeper and was  
11 being removed as a plaintiff because of that relationship.

12 4. Plaintiffs' [Adjusted] First Amended Class Action Complaint, filed April  
13 24, 2008, added plaintiffs Veronica Gutierrez and Tim Fox, and removed plaintiff Claudia  
14 Sanchez. By stipulation and court order on June 30, 2008, Tim Fox was dismissed as a named  
15 plaintiff.

16 5. A true and correct copy of relevant excerpts of the transcript of the  
17 Deposition of Veronica Gutierrez, dated June 12, 2008, is attached hereto as **Exhibit 2**.

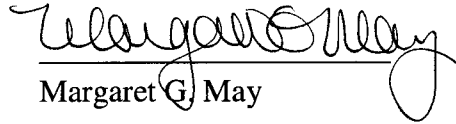
18 6. A true and correct copy of relevant excerpts of the transcript of the  
19 Deposition of Erin Walker, dated June 13, 2008, is attached hereto as **Exhibit 3**.

20 7. A true and correct copy of Plaintiff's Requests for Production of  
21 Documents Propounded to Defendant Wells Fargo Bank, N.A. [Set One], served on March 20,  
22 2008, is attached hereto as **Exhibit 4**.

23 8. True and correct copies of examples of customer complaints produced by  
24 Wells Fargo Bank, N.A., in response to plaintiffs' document requests, and Wells Fargo Bank,  
25 N.A.'s responses to those complaints, dated 2005 to 2008, are attached hereto as **Exhibit 5**.

1 I declare under penalty of perjury under the laws of the United States and the  
2 State of California that the foregoing is true and correct.

3 Executed on July 31, 2008, in San Francisco, CA.

4  
5   
6 Margaret G. May